



Federal Register

10-28-05

Vol. 70 No. 208

Friday

Oct. 28, 2005

Pages 62055-62228



The **FEDERAL REGISTER** (ISSN 0097-6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see www.archives.gov.

The seal of the National Archives and Records Administration authenticates the **Federal Register** as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the **Federal Register** paper edition is \$749 plus postage, or \$808, plus postage, for a combined **Federal Register**, **Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register**, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 70 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

| | |
|--------------------------------------|--------------|
| Paper or fiche | 202-512-1800 |
| Assistance with public subscriptions | 202-512-1806 |

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

| | |
|--------------------------------------|-------------------------------|
| Paper or fiche | 202-512-1800 |
| Assistance with public single copies | 1-866-512-1800 (Toll-Free) |

FEDERAL AGENCIES

Subscriptions:

| | |
|--|--------------|
| Paper or fiche | 202-741-6005 |
| Assistance with Federal agency subscriptions | 202-741-6005 |



Contents

Federal Register

Vol. 70, No. 208

Friday, October 28, 2005

Agricultural Marketing Service

RULES

Pistachios grown in—
California, 62055–62057

Agriculture Department

See Agricultural Marketing Service

See Food and Nutrition Service

See Food Safety and Inspection Service

Army Department

See Engineers Corps

NOTICES

Patent licenses; non-exclusive, exclusive, or partially
exclusive:

Apparatus and method for selectively distributing and
controlling means for impregnation of fibrous
articles, 62100

Blind or Severely Disabled, Committee for Purchase From People Who Are

See Committee for Purchase From People Who Are Blind
or Severely Disabled

Centers for Disease Control and Prevention

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 62120–62122

Centers for Medicare & Medicaid Services

RULES

Medicare and Medicaid:

Long term care facilities; nursing services; nurse staffing
information posting, 62065–62073

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 62122–62124

Meetings:

Practicing Physicians Advisory Council, 62124–62125

Children and Families Administration

NOTICES

Meetings:

Native American Tribes; public consultation session,
62125

Coast Guard

RULES

Drawbridge operations:

New Jersey, 62064

Commerce Department

See International Trade Administration

See National Oceanic and Atmospheric Administration

See National Telecommunications and Information
Administration

Committee for Purchase From People Who Are Blind or Severely Disabled

NOTICES

Procurement list; additions and deletions, 62092–62093

Defense Department

See Army Department

See Engineers Corps

See Navy Department

Education Department

NOTICES

Agency information collection activities; proposals,
submissions, and approvals, 62103–62105

Meetings:

National Assessment Governing Board, 62105–62106

Engineers Corps

NOTICES

Environmental statements; availability, etc.:

Bloomsburg, PA; flood damage reduction project, 62100–
62101

Brazoria County, TX; Freeport Ship Channel Widening
Project, 62101–62102

Mountaintop mining and valley fills, KY, TN, VA, WV,
62102

Environmental Protection Agency

PROPOSED RULES

Air pollutants, hazardous; national emission standards:

Electric utility steam generating units and removal of
coal- and oil-fired electric utility steam generating
units from Section 112(c) list

Reconsideration petitions, 62200–62213

Air pollution; standards of performance for new stationary
sources:

Electric utility steam generating units; mercury
performance standards

Reconsideration petitions, 62213–62221

NOTICES

Environmental statements; availability, etc.:

Agency comment availability, 62106–62107

Agency weekly receipts, 62107–62108

Mountaintop mining and valley fills, KY, TN, VA, WV,
62102

Grants and cooperative agreements; availability, etc.:

Brownfields Revolving Loan Fund, 62108–62109

Pesticide programs:

Pesticide applicator certifications; State plans—
Pennsylvania and Virginia, 62109–62111

Pesticide registration, cancellation, etc.:

Farma Tech International Corp., 62111–62112

Syngenta Crop Protection, Inc., et al., 62112–62119

Executive Office of the President

See Presidential Documents

Federal Aviation Administration

RULES

Airworthiness directives:

Aerospatiale, 62059–62061

PROPOSED RULES

Airworthiness directives:

Bell, 62085–62086

Federal Deposit Insurance Corporation**RULES**

Deposit insurance coverage; accounts of qualified tuition savings programs, 62057–62059

Federal Emergency Management Agency**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 62127–62129

Disaster and emergency areas:

Louisiana, 62129–62130

Mississippi, 62130

Texas, 62130

Federal Railroad Administration**RULES**

Railroad safety:

Rail freight rolling stock reflectorization, 62166–62198

Federal Reserve System**NOTICES**

Banks and bank holding companies:

Change in bank control, 62119

Meetings; Sunshine Act, 62119

Fish and Wildlife Service**NOTICES**

Endangered and threatened species:

Beluga sturgeon, 62135–62137

Environmental statements; availability, etc.:

Mountaintop mining and valley fills, KY, TN, VA, WV, 62102

Food and Drug Administration**NOTICES**

Meetings:

Oncologic Drugs Advisory Committee; correction, 62126

Prescription Drug User Fee Act; correction, 62126

Psychopharmacologic Drugs Advisory Committee, 62126–62127

Food and Nutrition Service**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 62090–62091

Food Safety and Inspection Service**NOTICES**

Meetings:

Meat and Poultry Inspection National Advisory Committee, 62091–62092

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Children and Families Administration

See Food and Drug Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 62119–62120

Homeland Security Department

See Coast Guard

See Federal Emergency Management Agency

Housing and Urban Development Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 62130–62131

Grants and cooperative agreements; availability, etc.:

Homeless assistance; excess and surplus Federal properties, 62131–62135

Interior Department

See Fish and Wildlife Service

See Land Management Bureau

See Minerals Management Service

See Surface Mining Reclamation and Enforcement Office

NOTICES

Meetings:

Delaware and Lehigh National Heritage Corridor Commission, 62135

International Trade Administration**RULES**

Antidumping and countervailing duties:

Sunset review procedures, 62061–62064

NOTICES

Antidumping:

Brass sheet and strip from—

Germany, 62093–62094

Forged stainless steel flanges from—

India, 62094–62095

Heavy forged hand tools, finished or unfinished, with or without handles, from—

China, 62095–62096

Stainless steel bar from—

Italy, 62096–62097

Countervailing duties:

Pasta from—

Italy, 62097

Welded carbon steel standard pipe from—

Turkey, 62097–62098

Labor Department**NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 62143

Land Management Bureau**NOTICES**

Environmental statements; availability, etc.:

Upper Missouri River Breaks National Monument, MT; resource management plan, 62137–62138

Withdrawal and reservation of lands:

Colorado, 62138–62139

Minerals Management Service**NOTICES**

Environmental statements; availability, etc.:

Alaska OCS—

Oil and gas lease sales, 62139–62142

National Highway Traffic Safety Administration**PROPOSED RULES**

Motor vehicle safety standards:

Motor homes and travel trailers over 10,000 pounds; cargo carrying capacity, 62086–62087

National Oceanic and Atmospheric Administration**RULES**

Fishery conservation and management:

Caribbean, Gulf, and South Atlantic fisheries—

Reef fish, spiny lobster, queen conch, and coral, 62073–62084

PROPOSED RULES

Fishery conservation and management:
West Coast States and Western Pacific fisheries—
Pacific sardine, 62087–62089

NOTICES

Meetings:
Gulf of Mexico Fishery Management Council, 62098–
62099
Pacific Fishery Management Council, 62099

National Science Foundation**NOTICES**

Antarctic Conservation Act of 1978; permit applications,
etc., 62143–62144

**National Telecommunications and Information
Administration****NOTICES**

Committees; establishment, renewal, termination, etc.:
Spectrum Management Advisory Committee, 62099–
62100

Navy Department**NOTICES**

Environmental statements; availability, etc.:
Undersea warfare training range; construction and
operations; hearings, 62102–62103

Nuclear Regulatory Commission**NOTICES**

Environmental statements; availability, etc.:
Conopco, Inc., NJ, 62144–62145

Pipeline and Hazardous Materials Safety Administration**NOTICES**

Meetings:
Operator qualification programs, 62162–62163

Presidential Documents**ADMINISTRATIVE ORDERS**

Brazil; drug interdiction assistance (Presidential
Determination)
No. 2006-02 of October 16, 2005, 62227
Palestine Liberation Organization; waiver of statutory
provisions (Presidential Determination)
No. 2006-01 of October 14, 2005, 62223–62225

Securities and Exchange Commission**NOTICES**

Self-regulatory organizations; proposed rule changes:
American Stock Exchange LLC, 62145–62147
Chicago Board Options Exchange, Inc., 62147–62151
Chicago Stock Exchange, Inc., 62151–62154

Fixed Income Clearing Corporation, 62154–62155
New York Stock Exchange, Inc., 62155–62156

Social Security Administration**NOTICES**

Agency information collection activities; proposals,
submissions, and approvals, 62156–62157
Privacy Act; systems of records, 62157–62161

Surface Mining Reclamation and Enforcement Office**NOTICES**

Environmental statements; availability, etc.:
Mountaintop mining and valley fills, KY, TN, VA, WV,
62102

Transportation Department

See Federal Aviation Administration

See Federal Railroad Administration

See National Highway Traffic Safety Administration

See Pipeline and Hazardous Materials Safety
Administration

NOTICES

Aviation proceedings:
Agreements filed; weekly receipts, 62161
Certificates of public convenience and necessity and
foreign air carrier permits; weekly applications,
62162

Separate Parts In This Issue**Part II**

Transportation Department, Federal Railroad
Administration, 62166–62198

Part III

Environmental Protection Agency, 62200–62221

Part IV

Executive Office of the President, Presidential Documents,
62223–62225, 62227

Reader Aids

Consult the Reader Aids section at the end of this issue for
phone numbers, online resources, finding aids, reminders,
and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents
LISTSERV electronic mailing list, go to <http://listserv.access.gpo.gov> and select Online mailing list
archives, FEDREGTOC-L, Join or leave the list (or change
settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Administrative Orders:

Presidential

Determinations:

No. 2006-01 of

October 14, 200562225

No. 2006-02 of

October 16, 200562227

7 CFR

98362055

12 CFR

33062057

14 CFR

3962059

Proposed Rules:

3962085

19 CFR

35162061

33 CFR

11762064

40 CFR**Proposed Rules:**

6062200

6362213

42 CFR

48362065

49 CFR

22462166

Proposed Rules:

57162086

50 CFR

60062073

62262073

Proposed Rules:

66062087